GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Public Services – Tirupathi District - Departmental Proceedings against Sri Arella Penchalaiah, Mandal Surveyor, O/o. Tahsildar, Sullurpet Mandal, Tirupati District Erstwhile SPSR Nellore District - Violation of APCS (Conduct) Rules, 1964 – Departmental proceedings under rule 20 r/w rule 24 of A.P.C.S. (CC & A) Rules, 1991 - Articles of charges – Issued.

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REVENUE (VIGILANCE.III) DEPARTMENT

G.O.RT.No. 619 **Dated: 17-09-2024**
Read the following:-

1. From the D.G., ACB, Lr.C.No.34/DES-NNL/2020, Dated:28.02.2024
2. G.O.Ms.No.192, Revenue (Vig.III) Department, Dt:17.09.2024.

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ORDER:

It is proposed to hold an enquiry Sri Shaik Mannur Hameed,Tahsildar, Sullurupeta Mandal, SPSR Nellore District (Retd) in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Articles of charges (Annexure—I). A statement of imputations of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure – III & IV).

3. Sri Arella Penchalaiah, Mandal Surveyor is directed to submit, within 10 days of the receipt of this order, a written statement of his defense.

4. Sri Arella Penchalaiah, Mandal Surveyor is informed that an enquiry will be held only in respect of those articles of charges as are not admitted. He should therefore, specifically admit or deny each article of charge.

5. Sri Arella Penchalaiah, Mandal Surveyor is further informed that if he does not submit his written statement of defense on or before the date specified in Para—3 above, further action will be processed based on the material available.

6. Attention of Sri Arella Penchalaiah, Mandal Surveyor, O/o. Tahsildar, Sullurpet Mandal, Tirupati District is invited to Rule 24 of A.P.C.S (Conduct) Rules 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that Sri Arella Penchalaiah, Mandal Surveyor is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R P SISODIA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To:
Sri Arella Penchalaiah, Mandal Surveyor, O/o. Tahsildar, Sullurpet Mandal, Tirupati District, (**through** Collector & District Magistrate, Tirupathi District).

Copy to:

The Collector & District Magistrate, Tirupathi District.
The Collector & District Magistrate, SPSR Nellore District.
The Chief Commissioner of Land Administration, A.P, Mangalagiri.
Sf/Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SRI ARELLA PENCHALAIAH, MANDAL SURVEYOR, O/o. TAHSILDAR, SULLURPET, TIRUPATI DISTRICT ERSTWHILE SPSR NELLORE DISTRICT.

That Sri Arella Penchalaiah, Mandal Surveyor, O/o. Tahsildar, Sullurpet Mandal, Tirupati District Erstwhile SPSR Nellore District (hereinafter referred as Government Servant) while working as such during the period between 11.07.2019 to 24.01.2020 being a Mandal Surveyor, he failed to discharge his legitimate duties and committed the following irregularities in as much as:

Charge: That the Government Servant being a Surveyor, was absent for duty without Intimation to the Tahsildar, without prior permission or leave on the date of Surprise Check i.e., on 24.01.2020, thereby he violate Rule 4(i) of APCS (Conduct) Rules, 1964.

Thus, Sri Arella Penchalaiah, Mandal Surveyor, O/o. Tahsildar, Sullurpet Mandal, Tirupati District Erstwhile SPSR Nellore District by his above-mentioned acts exhibited lack of devotion to duty and conduct and becoming of Government servant and thereby he contravened Rules 3(1) & 3(2) of APCS (Conduct) Rules, 1964.

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R P SISODIA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINST SRI ARELLA PENCHALAIAH, MANDAL SURVEYOR, O/o TAHSILDAR, SULLURPET, TIRUPATI DISTRICT ERSTWHILE SPSR NELLORE DISTRICT.

Sri Arella Penchalaiah, Mandal Surveyor, O/o. Tahsildar, Sullurpet, Tirupati District Erstwhile SPSR Nellore District is a native of Bodipadu Village, Chejarla Mandal, SPSR Nellore District. His date of birth is 17.08.1970. He joined in the Government service as Deputy Surveyor at O/o. Assistant Director, S&LR, Nellore on 02.02.1996. He got promotion as Mandal Surveyor on 02.06.2004 and he was worked at different places and he was joined as Mandal Surveyor at O/o. Tahsildar, Sullurpet on 11.07.2019 and worked till the date of surprise check i.e. on 24.01.2020. His date of retirement on attaining the age of superannuation is 31.08.2032. He is here-in-after referred to as Government Servant.

Charge: That the Government Servant being a Surveyor, was absent for duty without intimation to the Tahsildar, without prior permission or leave on the date of Surprise Check i.e., on 24.01.2020, thereby he violate Rule 4(i) of APCS (Conduct) Rules, 1964.

FACTS AND EVIDENCE:

Surprise Check was conducted at O/o Tahsildar, Sullurpet on 24.01.2020 in the presence of two mediators. The search revealed that,

On enquiry, the Tahsildar stated that the Jr. Assistant namely N.Sai Teja went to survey training at Samarlakota in December. The Senior Assistant post was vacant and not filled since the General Elections-2019. He further added that he came to know that the Mandal Surveyor Sri A. Penchalaiah and Sri E. Rajagopal-VRO of Mangalampadu cluster were absent for the duties without prior permission or leave. Moreover, his mobile phone was switched off.

On perusal of the Attendance Register maintained for employees, names were mentioned on the page in January 2020 for regular staff. Out of 9 employees Sri A. Penchalaiah, Mandal Surveyor & Sri M. Praveen Royal, MRI-II were absent for the duties, N. Sai Teja engaged in Survey training at Samarlakota from December. Except, the Deputy Tahsildar- J. Swapna, the remaining staff have not signed in the register from 01.01.2020. The regular employee's Attendance Register was seized by the Inspector after duly attested by the mediators for further enquiry.

Thus, Sri Arella Penchalaiah, Mandal Surveyor, O/o. Tahsildar, Sullurpet Mandal, Tirupati District Erstwhile SPSR Nellore District by his above-mentioned acts exhibited lack of devotion to duty and conduct and becoming of Government servant and thereby he contravened Rules 3(1) & 3(2) of APCS (Conduct) Rules, 1964.

Thus the Government Servant, Sri Arella Penchalaiah, Mandal Surveyor, O/o. Tahsildar, Sullurpet Mandal, Tirupati District Erstwhile SPSR Nellore District rendered himself for regular Departmental enquiry for major penalty under Rule 20 of APCS (CC&A) Rules, 1991.

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ANNEXURE - III

ORAL EVIDENCE:

The following oral evidence is available on record.

1) LW-1: Sri Shaik Gouse, S/o Rahmathulla, Age 53 yrs, Occ: Asst. Labour officer, O/o Deputy Commissioner of Labour, Nellore. R/o D.No. 5-2-42, Paruveti Arugu road, Kovur (V & M), SPSR Nellore District. (Mediator-1)

He acted as Mediator-1 and he speaks about the facts of the Mediators' Report drafted at the Tahsildar Office, Sullurupet, Nellore District on 24.01.2020.

2) LW-2: Sri Sd. Guffuron, S/o (Late) Sd. Shameer Basha, Age 24 yrs, Occ: Jr. Asst. O/o Asst. Labour office, 1st Circle, Nellore, R/o D.No.6-3-173, Malakondareddy Street, Settigunta Road, Nellore city, SPSR Nellore District. (Mediator-2)

He acted as Mediator-2 and he speaks about the facts of the Mediators' Report drafted at the Tahsildar Office, Sullurupet, Nellore District on 24.01.2020.

3) LW-7: Sri B. Ramesh Babu, Inspector of Police, ACB, Nellore Range, Nellore.

To Speak about the Surprise Check conducted over the O/o. The Tahsildar, Sullurupeta, SPSR Nellore, submission of report etc.

If any witness is found to be necessary, will be produced at the time of enquiry.

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R P SISODIA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

ANNEXURE-IV

DOCUMENTARY EVIDENCE:

The following documentary evidence is available:

1. Staff Attendance Register: It proves that on 24.01.2010, the Surveyor and VRO were absent from the duties.

2. Mediators' Report drafted on 24.01.2020 for the Surprise Check conducted over the O/o the Tahsildar, Sullurupeta, SPSR Nellore Dist.

3. Letter of RDO, Naidupet, SPSR Nellore District in Rc.C/196/2020, Dt. 08.03.2020 Containing the service particulars and job charts.

If any document is found to be necessary, will be produced at the time of enquiry.

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R P SISODIA
SPECIAL CHIEF SECRETARY TO GOVERNMENT